

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

DOUGLAS EL  
1711 W. Venango Street  
Philadelphia, PA 19140  
Individually and on behalf of  
all others similarly situated,  
  
Plaintiff,  
  
v.  
  
SOUTHEASTERN PENNSYLVANIA  
TRANSPORTATION AUTHORITY  
1234 Market Street  
Philadelphia, PA 19107,  
  
Defendant.

## ORDER

AND NOW, this \_\_\_\_\_ day of \_\_\_\_\_, 2004, Defendant's Motion to Compel Production of Additional Tax Returns is DENIED AS MOOT, as Plaintiff has asserted that he has previously produced all returns in his possession.

BY THE COURT

Hon. J. Curtis Joyner, U.S.D.J.

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all others similarly situated,  
  
Plaintiff,  
  
v.  
  
SOUTHEASTERN PENNSYLVANIA  
TRANSPORTATION AUTHORITY  
1234 Market Street  
Philadelphia, PA 19107,  
  
Defendant.

**PLAINTIFF’S RESPONSE TO DEFENDANT’S MOTION  
FOR PRODUCTION OF ADDITIONAL TAX RETURNS**

Plaintiff, by and through his undersigned counsel, hereby avers as follows in response to the above-referenced motion:

## I. ARGUMENT

Plaintiff currently has no additional tax returns to produce and previously produced all the tax returns and attachments in his possession. Plaintiff will immediately supplement his previously-forwarded production of documents if additional returns become available in the future. Plaintiff's counsel have communicated this fact to Defendant's counsel. It is respectfully submitted that the motion to which this reply is directed should be denied as moot as production of all available tax materials in Plaintiff's possession has already occurred.

Respectfully submitted,

/s/ Wayne A. Ely

Wayne A. Ely

Timothy M. Kolman

TIMOTHY M. KOLMAN AND ASSOCIATES

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Attorneys for Plaintiff and the Class

July 2, 2004

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

DOUGLAS EL

Plaintiff,

v.

SOUTHEASTERN PENNSYLVANIA  
TRANSPORTATION AUTHORITY

Defendant.

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CIVIL ACTION

NO. 02-CV-1213

JURY TRIAL DEMANDED

**CERTIFICATE OF SERVICE**

I, Wayne A. Ely, do hereby certify that on the date set forth below, I caused to be served a true and correct copy of Plaintiff's Response to Defendant's Motion for Production of Additional Tax Returns by mailing same, first class mail, postage prepaid upon the following individuals:

David Cohen, Esquire  
Spector, Roseman & Kodroff  
1818 Market Street  
Suite 2500  
Philadelphia, PA 19103

Robert Haurin, Esquire  
Saul H. Krenzel and Associates  
The Robinson Building  
42 South 15<sup>th</sup> Street  
Suite 800  
Philadelphia, PA 19102

July 2, 2004

/s/ Wayne A. Ely  
Wayne A. Ely, Esquire